Appeals Management Office (AMO) Quality Call Bulletin June 2020

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QUALITY METRICS

Target Audience: DROC QRTs and Management

Presenter: Chad Phillips, Acting Chief, AMO

AMO updated the Quality Assurance Intranet page and added a Quality Metrics Intranet page.

The quality metrics section on the Quality Assurance Intranet page displays the current Director's Performance Dashboard metrics. AMO updates the dashboard on a monthly basis with the **DROC AMA Legacy Issue-Based Rating Quality**. The dashboard currently displays May results comprised of national quality from December 2019 to April 2020 transaction dates.

The Quality Metrics Intranet page displays relevant information as follows:

- Current accuracy
- Link to the FY20 Director's Performance Dashboard
- Link to the Director's Performance Plan
- PA&I sampling methodology, as well as the sample size and reporting cadence
- 12-month, 3-month, and 1-month accuracy review
- Link to a SharePoint site that hosts the Narrative Summary of Errors
- National Quality Error Trend Analysis

ERROR TRENDS: OCTOBER 2019 – APRIL 2020

Target Audience: DROC QRTs and Management

Presenter: James Fogg, Program Analyst, AMO

Claims-Based Accuracy

Authorization			
DROC	Claim (BE Accuracy)	Total Count	In Error
St. Petersburg:	87.2%	141	18
Seattle:	90.1%	131	13
Total	**88.6%**	**272**	**31**

Rating			
DROC	Claim (BE Accuracy)	Total Count	In Error
St. Petersburg:	84.0%	50	8
Seattle:	96.4%	55	2
DC:	84.6%	52	8
Total	**88.5%**	**157**	**18**

Please note that the data presented is raw and does not correlate to the Director's Dashboard for each DROC.

Issue-Based Accuracy

Rating			
DROC	Issue (BE Accuracy)	Total Issues	Issue Errors
St. Petersburg:	92.9%	1470	10
Seattle:	98.8%	170	2
DC:	93.1%	160	11
Total	**95.1%**	**470**	**23**

Please note that the data presented is raw and does not correlate to the Director's Dashboard for each DROC.

Top Benefit Entitlement (BE) Error Questions in National AMO Reviews

Authorization:

The top authorization BE error questions were Question 8, *Were all dependency adjustments and/or decisions* correct, and Question 9, *Were all required withholdings/reductions correctly implemented?* There were 13 errors for each of these questions. The main descriptors in error were:
- Dependency adjustment effective date not correct, and
- Dependent minor biological child/children established, denied, or removed incorrectly
- Drill pay not withheld or withheld incorrectly, and
- CRDP or CRSC adjustment incorrect

Please note that Questions 8 and 9 remain the top authorization BE Error Questions.

Rating:

The top rating BE error question was Question 7, *Are all effective dates affecting payment correct?* There were 9 errors for this question. The main descriptors in error were:
- D1j: Incorrect effective date for all other situations (general), and
- D1e: IU criteria met or not met from an earlier date

Please note that Question 7 remains the top rating BE Error Question.

Top AMA Error Questions in National AMO Reviews

Authorization:

The top authorization AMA error question was Question 10, *Was the claimant properly notified?* There were 17 errors for this question. The main descriptors in error were:
- A summary of the applicable laws and regulations, and
- Non-rating decision failed to explain met and/or not met

Please note that Question 10 continues to be the top authorization AMA Error Question.

Rating:

The top rating AMA error question was Question 9, *Was Decision Documentation correct?* There were 7 errors for this question. The main descriptors in error were:

- E4b: An explanation of the laws and regulations applicable to the claim was not provided (AMA), and
- E4c: A summary of favorable findings made by the decision maker was not provided (AMA)

Please note that Question 9 continues to be the top rating AMA Error Question.

DROC QRT QUESTIONS SUBMITTED IN ADVANCE

Target Audience: DROC QRTs and Management

Presenter: James Fogg, Program Analyst, AMO

Who has jurisdiction when a timely opt-in is received after Board certification?

M21-5, Chapter 4, Topic 2.b notes that a claimant may opt into the higher-level review (HLR) or supplemental claim lanes under the Appeals Modernization Act (AMA) within 60 days of receipt of a statement of the case (SOC) or supplemental statement of the case (SSOC). If the claimant opts into one of these lanes, then the legacy appeal is withdrawn by default. Once a timely opt-in is received, VBA officially takes jurisdiction of the claim, regardless of whether the legacy appeal has been certified to the Board of Veterans' Appeals (Board). However, in cases where the Board has activated the appeal, coordination with the Board is required. If a case remains in the CERT stage in the Veterans Appeals Controls and Locator System (VACOLS) , the opt-in may be processed without any issues. See M21-5, Chapter 4, Topic 3.f which provides instructions on how to utilize Caseflow to withdraw an issue from a Board appeal, after receiving an AMA election. Caseflow will automatically close the VACOLS record, record an "O" disposition and an AMA end product will be established. If the case has moved to ACT status, the opt-in may be processed via Caseflow. However, coordination with the Board is required as their docketing letter will need to be rescinded. For such cases, please send an email to AMO Operations at AMO-Appeals.Ops@va.gov.

Which Favorable Findings should be included when addressing presumptive service connection?

Favorable findings depend entirely on the evidence in each case, as not all claims for presumptive service connection will exhibit the same fact pattern. The favorable findings drop-down menu includes *Incurrence, Nexus,* and *Diagnosis*, but the applicability of such favorable findings is dependent on the specific facts of the case.

Examples of favorable findings include, but are not limited to:

Incurrence:
- You were exposed to <insert free text> during military service.
- Your claimed issue became manifest to a degree of 10 percent or more following service.
- Evidence shows that you performed service in [free text (i.e. Camp Lejeune or Southwest Asia)]

Nexus:
- The diagnosed disability is a condition that has been presumptively linked to exposure.
- The claimed disability is a chronic disease which may be presumptively linked to your military service.

Diagnosis:
- You have been diagnosed with a disability.

Can the DRO address a CUE found during a HLR?

If a Clear and Unmistakable Error (CUE) is discovered during a higher-level review (HLR), VA is obligated to address the CUE. If the CUE is related to an issue under review in the HLR, or one that is inextricably intertwined, then the issue may be addressed under the HLR EP 030. The evidence of record at the time of the CUE in a prior decision is part of the record and subject to review. If the CUE is not related to an issue under review in the HLR, then the claims processor should establish an EP 930 to address the CUE and direct any development actions necessary to resolve the issue. A separate rating decision should be completed under the EP 930 to correct the error. (M21-5, 5.1.b.; M21-4, Appendix B).

QUESTIONS

Where did AMO move the DRO Quality Checklist, with AMA specific errors, that was previously on the AMO Quality Assurance page?

Response: The DRO quality checklist with AMA alignment has been restored on the AMO Intranet page. Please refer to the AMO Quality Assurance Site for the HLR DRO Quality Checklist.